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**Case Management System - KY Public Service Commission***Regular Cases Before the Commission as of June 17, 2017***2013-00221**

RECEIVED: 06/12/13

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FINAL: 08/14/13

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SUSPENSION DATE:

**CASE CODE**

Contracts

Declaratory Order

**UTILITIES:**

Big Rivers Electric Corporation

Kenergy Corp.

**HEARINGS:**

07/30/13 Formal Hearing

07/12/13 Informal Conference

06/20/13 Informal Conference

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11/14/13 POST CASE: Kenergy Corp's Century Transaction Agreement Revenue and Expense Report for the Quarter Ending 09/30/13.  
08/26/13 POST CASE: Big River and Kenergy response to order of Aug 14, 13 paragraph 6  
08/14/13 Final Order Entered: (1) The Century Transaction Agreements are approved for service on and after August 20, 2013. (2)The Alternate Service Agreements are approved for service on and after August 20, 2013 to be effective only in the event that the Century Transaction Agreements are not executed by the parties thereto by August 20, 2013 or, if they are executed, they are terminated earlier than December 31, 2023. (3) The Applicants' request for a declaratory order is granted as discussed in the

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findings above. (4) The Commission retains all jurisdiction under KRS Chapter 278 relating to the rates and service to be provided by Kenergy to Century Kentucky under the Century Transaction Agreements, including the jurisdiction to resolve all rate and service disputes arising under each of the agreements approved by this Order. (5) Big Rivers and Kenergy shall individually file within 45 days of the end of each calendar quarter a report detailing the revenues and expenses incurred by each in connection with each component of the Century Transaction Agreements. (6) Big Rivers and Kenergy shall file, within 15 days of the date of this Order, executed copies of the Century Transaction Agreements and the Alternate Service Agreements. (7) Any documents filed pursuant to ordering paragraph 5 of this Order shall reference the number of this case and shall be retained in the utility's general correspondence file

08/12/13 Reply of KIUC to the responses of Big Rivers, Kenergy and Century to KIUC'S motion to take administrative notice

08/09/13 Kenergy Corp and BREC Joint Response to the Motion of KIUC to Take Administrative Notice

08/08/13 Century Aluminum of Kentucky Response to Motion of KIUC to Take Administrative Notice

08/08/13 KIUC Motion To Take Administrative Notice

08/06/13 KIUC Brief

08/05/13 Attorney General's Post Hearing Brief

08/05/13 Century Aluminum of Kentucky General Partnership Post-Hearing Brief

08/05/13 Kenergy Corp and BREC Joint Post-Hearing Brief

08/02/13 Notice of Filing Hearing Documents

08/01/13 Kenergy and Big Rivers' Response to Post Hearing Request for Information

08/01/13 Century Aluminum of Kentucky's Response to Hearing Data Request

07/30/13 Order Entered: The Applicants' motion to strike is denied and the Sierra Club's comments are accepted for filing as comments by a non-party.

07/25/13 Kenergy Corp Rebuttal Testimony of Gregory J. Starheim

07/25/13 BREC Rebuttal Testimony of Robert W. Berry

07/23/13 Ben Taylor and Sierra Club's Response in Opposition to Big Rivers and Kenergy's Motion to Strike Comments

07/22/13 KIUC Direct Testimony and Exhibits of Lane Kollen

07/22/13 Kenergy Corp and BREC Motion to Strike Comments of Ben Taylor and Sierra Club

07/19/13 Order Entered: The Movants' petition for full intervention is denied.

07/19/13 AG's Comments in Lieu of Testimony

07/19/13 Century Aluminum of Kentucky Direct Testimony of Donald J Morrow, Quanta Technology, LLC with exhibits; Direct Testimony of Sean Byrne, Plant Manager-Hawesville Smelter, with exhibits; and Direct Testimony of Michael Early, Corporate Energy Director

07/19/13 Century Aluminum of Kentucky Entry of Appearance of David C Brown

07/19/13 Ben Taylor and Sierra Club Comments

07/15/13 Ben Taylor and Sierra Clubs Reply in Support of Petition for Full Intervention

07/11/13 BREC and Kenergy Corp Response to the Office of the AG's Initial Request for Information

07/11/13 Kenergy and BREC Response to Commission Staff's Initial Request for Information

07/11/13 Kenergy Corp's Response to Sierra Club's Motion to Intervene

07/11/13 BREC Petition For Confidential Treatment and Motion For Deviation

07/11/13 Kenergy Corp and BREC Response to KIUC's Initial Request for Information

07/08/13 BREC Response and Objection to the Petition of Ben Taylor and Sierra Club for Full Intervention

07/03/13 KIUC's First Set of Data Request to BREC

07/02/13 Commission Staff's Initial Request for Information to Big Rivers Electric Corporation

07/02/13 AG's Initial Data Requests

07/01/13 Ben Taylor and Sierra Club Petition For Full Intervention

06/28/13 Order Entered: (1) The motion of Meade RECC to intervene is granted. (2) Meade RECC shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order. (3) Should Meade RECC file documents of any kind with the Commission in the course of these proceedings, Meade RECC shall also serve a copy of said documents on all other parties of record.

06/28/13 Order Entered: The procedural schedule set forth in the Appendix attached hereto and incorporated herein shall be followed.

06/28/13 Order Entered: The motion of JPEC to intervene is granted. 2. JPEC shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other

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documents submitted by parties after the date of this Order. 3. Should JPEC file documents of any kind with the Commission in the course of these proceedings, JPEC shall also serve a copy of said documents on all other parties of record.

06/27/13 Order Entered: Robert A. Weishaar, Jr. is admitted pro hac vice for the purpose of representing Century in the above-styled proceeding, provided that Bernard F. Lovely, Jr. or another member of the Kentucky Bar Association acts as co-counsel and is present at any and all proceedings before this Commission.

06/27/13 Meade County RECC Motion to Intervene

06/26/13 BREC Compliance Filing

06/25/13 JPEC Motion to Intervene

06/21/13 1. The motion of KIUC to intervene is granted.  
2. KIUC shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.  
3. Should KIUC file documents of any kind with the Commission in the course of these proceedings, KIUC shall also serve a copy of said documents on all other parties of record.

06/21/13 Order Entered:  
1. The motion of Century to intervene is granted.  
2. Century shall be entitled to the full rights of a party and shall be served with the Commission's Orders and with filed testimony, exhibits, pleadings, correspondence, and all other documents submitted by parties after the date of this Order.  
3. Should Century file documents of any kind with the Commission in the course of these proceedings, Century shall also serve a copy of said documents on all other parties of record.

06/21/13 Order Entered: The motion is granted and the Attorney General is hereby made a party to these proceedings.

06/19/13 Order Entered: An informal conference shall be held on Thursday, June 20, 2013, at 11:00 a.m. Eastern Daylight Time, in Conference Room 1 at the Commission's offices in Frankfort, Kentucky, for the purposes requested in KIUC's motion. Staff counsel will provide the call-in information to any party who wishes to attend by telephone.

06/18/13 Central Aluminum of Kentucky General Partnership Motion To Intervene

06/18/13 Century Aluminum of Kentucky General Partnership Motion For Admission Pro Hac Vice

06/17/13 KIUC Motion For Informal Conference to Set Procedural Schedule and to Discuss Interim Approval of The Transaction Before August 20, 2013 Subject to Final Commission Review at a Later Date

06/14/13 AG's Motion to Intervene

06/14/13 BREC Revised Exhibit 13 Alternate Service Agreement

06/14/13 KIUC Petition to Intervene

06/12/13 Acknowledge Receipt of Filing

06/12/13 Joint Application of Kenergy Corp. and Big Rivers Electric Corporation for Approval of Contracts and for a Declaratory Order

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Total Number of Cases: 1